

TRANSPORTATION PLANNING DIVISION

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BCATS Director
Bay City Area Transportation Study
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THOMAS HICKNER
County Executive

Notice of a **TECHNICAL COMMITTEE** meeting
of the
Bay City Area Transportation Study (BCATS)

Tuesday April 10, 2007, 10:00 AM
Finance Department Conference Room
7th Floor, Bay County Building
515 Center Avenue, Bay City, MI

1. Call to order
2. Minutes from February 13, 2007
3. New TIP funding mechanism - Lump Sum or Pro-Rata
4. Self Certification of BCATS Planning Process - Required in the 2008-09-10-11 TIP
5. Discuss timing and content of 2008-09-10-11 TIP
6. Recommend BCATS 2035 Metropolitan Transportation Plan be approved by Policy Committee
7. Discuss 2008 Unified Work Program
8. Discuss state budget and impact on MDOT regarding both road projects and staff support
9. FHWA letter regarding outstanding unfinished/inactive projects and funding
10. Projects update
11. Other/New Business

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Call To Order:

The meeting was called to order at 10:01 a.m.

Those present were:

Dave Engelhardt, BCATS staff; Dirk Westbury, BCATS staff; Adam Rivard, MDOT; Jim Lillo, Bay County Road Commission; John Gaydos, City of Bay City; Terry Moulane, City of Bay City; Dave Geiger, MDOT; Don Mayle, MDOT Lansing; Mike Stoner, Bay Metro.

It was moved by Moulane, seconded by Gaydos, to approve the minutes from the December 12, 2006 meeting. Motion Passed.

Travel Demand Model:

Don Mayle of MDOT provided maps showing the deficiencies indicated on the Travel Demand Model. The handouts included the 2005 deficiencies as well as the 2035 horizon year which lists of all BCATS projects. There was a review and clarification of the information provided. Discussion ensued.

TIP Projects Submitted for New 2008-11 TIP:

Engelhardt provided members a working draft of the 2008-11 BCATS TIP. It was discussed that for the High Priority Project (HPP) of North Henry St to be completed, other funds would be needed. The committee concluded that this project should be the top priority in the TIP and provide the needed funds for the projects from the BCATS allocated STP funds. Other Bay City projects discussed included Trumbull between Woodside and M-25, Johnson St between Center and 11th St, and Lincoln between Kosciuszko Ave and Fremont. Gaydos stating that after the North Henry St. Project, Bay City would not likely have a project until 2012 due the budget constraints. Essexville projects discussed include two resurfacing jobs: Borton between Caroline and Scheurmann and Woodside between Scheurmann and Pine. The road commission had one project discussed, Midland Rd reconstruction and expansion between 2 Mile Rd and 3 Mile Rd. Lillo also brought forth three crush & shape projects planned in the next 5 years for the road commission that would be eligible for STP funds. These projects would be "On the Shelf" projects that would be funded if other projects fall through or projects are overestimated. MDOT has two projects in the BCATS area, both listed with the 2008 projects, I-75 and M-25. Rivard informed the committee that the M-25 (Center Ave) Project has a 95% chance of being delayed until 2009. Discussion ensued.

A Motion was made by Gaydos and seconded by Lillo for Engelhardt to compete the draft 2008-11 TIP to bring to the Policy committee before public review with the condition that the North Henry St Project will be funded first, after projects already programmed in the 2006-07-08 TIP, and any remaining funds be allocated to the Midland Rd Project and Borton St project.

2035 Long Range Plan (Chapter 5):

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Engelhardt provided members with a copy of the 2035 Long Range Plan for review and discussion on Chapter 5 - Deficiencies. Engelhardt reminded everyone how important reviewing this list was in order to ensure all projects are listed in the Long Range Plan. It was noted that all projects, even those that are out of the Urban Area but still in the BCATS area, must be listed in the TIP. If you can trace funds for a project to a Federal source, then that project must be listed in the TIP. There was a review and clarification of the information provided. Discussion ensued.

Recommend to Policy Committee Public Review of Long Range Plan:

Engelhardt discussed the Public Review of the Long Range Plan (LRP) and asked for support in forwarding the LRP to the BCATS Policy Committee. A motion was made by Lillo, seconded by Moulthane, to favorably recommend to the BCATS Policy Committee that the BCATS Long Range Plan be publicized for public review. Motion passed.

Review New TIP/STIP Reporting Format:

Engelhardt reminded everyone of the new TIP/STIP reporting format. Reports should be completed over the next two weeks. Engelhardt will email members the new reporting spreadsheets. MDOT in conjunction with FHWA wants uniform reporting and has provided Microsoft Excel spreadsheets.

Asset Management Reporting Training:

Engelhardt informed members that there will be an Asset Management Reporting Training taking place on March 5, 2007 from 1:00 p.m. to 4:00 p.m. at SVSU in the Ott Auditorium.

New Internet Interactive GIS Mapping Site:

Engelhardt discussed the new internet interactive GIS Mapping site and explained that it was still in its early phase. The site should be up and running within the next few weeks.

Project Updates:

The design for the **Pine Rd Project** is complete. The **Wenona Street Project** is scheduled to begin in March, 2007. The design for the **North Henry Street Project Phase II & III** should begin shortly and needs to let or under construction before September for the Local Jobs Today funds. The **M-25 Bridge Project** is ahead of schedule and it is anticipated that the bridge will open a month earlier than the original finish date. The **Center Avenue Project** has a 95% chance of been moved from the list of 2008 projects to the 2009 project list.

Other/New Business:

BCATS TIP Amendment for Bay Metro:

Engelhardt discussed bringing forward unfunded Bay Metro projects into the current year BCATS TIP. A motion was made by Gaydos, seconded by Moulthane, to favorably recommend to the BCATS Policy Committee that the Bay Metro projects be adjusted in the 2007 BCATS TIP. Motion passed.

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TIP Amendment for Recreational Trail Program:

Engelhardt discussed an amendment to the TIP from the Bay City State Recreation Area (BCSTA) to add the trail repair for the Anderson Nature Trail to the 2007 list of projects. The BCSRA received a \$85,000 federal grant to repair and resurface the trail. A motion was made by Geiger, seconded by Lillo, to favorably recommend to the BCATS Policy Committee that the Anderson Nature Trail project be added to the 2007 BCATS TIP. Motion passed.

Asset Management:

Engelhardt will email members a copy of this report for review.

Category "A" Grant:

Engelhardt informed members about the Category "A" Grant to give them a heads up. A notice regarding this grant will be going out to all the township and city officials in the BCATS area.

I-75 Bay County Line to US -10 description in Long Range Plan:

Engelhardt discussed the construction plans and environmental assessment for the I-75 project. FHWA still has some issues with the wording of the project in the LRP, which stated "Repair" of I-75. Geiger said that the project should be listed as "Maintenance/Deficiencies".

As there was no further business, the February 13, 2007 BCATS Technical Committee meeting was adjourned at 11:53 a.m.

Respectfully submitted,

David Engelhardt
BCATS Director

Transcribed by C. Gaul

METROPOLITAN TRANSPORTATION PLANNING PROCESS CERTIFICATION

In accordance with 23 CFR 450.334, the Michigan Department of Transportation and the Bay City Area Transportation Study, the Metropolitan Planning Organization for the Bay City, Michigan urbanized area, hereby certify, as part of the STIP submittal, that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- I. 49 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- II. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- III. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- IV. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- V. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- VI. The provisions of the Americans with Disabilities Act of 1990 (42 U.S. C. 12101 *et seq.*) and 49 CFR parts 27, 37, and 38;
- VII. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- VIII. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- IX. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Dale Majerczyk, Chairman
Bay City Area Transportation Study

Susan Mortel, Director
Bureau of Transportation Planning

Date

Date



U.S. Department
of Transportation
**Federal Highway
Administration**

Michigan Division

315 West Allegan Street, Room 201
Lansing, Michigan 48933

April 11, 2006

Mr. Myron G. Frierson, Director
Bureau of Finance and Administration – B480
Michigan Department of Transportation
P.O. Box 30050
Lansing, MI 48909

Dear Mr. Frierson:

On January 31, 2006, the Federal Highway Administration (FHWA) issued a final regulation concerning project authorization and agreements. The regulation contains three requirements:

1. The States' request that Federal funds be obligated shall be supported by a documented cost estimate that is based on the State's best estimate of costs.
2. The State shall maintain a process to adjust project cost estimates as the project evolves. The State shall revise the Federal funds obligated within 90 days after it has determined that the estimated Federal share of project costs has decreased by \$250,000 or more.
3. The State shall review, on a quarterly basis, inactive projects¹ with unexpended Federal obligations and shall revise the Federal funds obligated for a project within 90 days to reflect the current cost estimate, based on the following criteria. The review criteria are:
 - a. Projects inactive for the past 12 months with unexpended balances more than \$500,000,
 - b. Projects inactive for the past 24 months with unexpended balances of \$50,000 to \$500,000, and
 - c. Projects inactive for the past 36 months with unexpended balances less than \$50,000.

The purpose of this memorandum is twofold. First, it is a notification that we must develop a plan to achieve full compliance with the three new regulatory requirements. Second, given our existing Fiscal Management Information System (FMIS) report, we must continue to assure that all listed projects are active and based on current cost estimates.



¹ Inactive projects are defined as ..."(for purposes of this subpart an "inactive project" means a project for which no expenditures have been charged against Federal funds for the past 12 months)"

Achieving total compliance with the new regulatory requirements will require additional staff work to define the existing processes, modify existing processes, or create new processes.

Currently, FHWA has not developed the FMIS reports to itemize the projects under requirement 3b and 3c. FHWA Headquarters is currently developing those reports. We must be prepared to implement the required quarterly review process soon after the reports are available because the FHWA already implemented the review requirement the new Financial Integrity Review and Evaluation (FIRE) program. I strongly recommend that we develop a small team to study the existing procedures and reports and assure that MDOT can implement a quarterly review process by October 1, 2006.

For several years, FMIS generated the FMISQ24A report (projects with over \$500,000 unexpended balance with no activity for one year), which will remain a quarterly review requirement (3a). Until we develop the new processes to manage the projects at all three levels, we must continue to manage projects at this level.

According to the January 31, 2006 FMISQ24A report, Michigan had 24 projects in an inactive status (see attachment). Eleven of the projects, in red print, were a carry-over from the 2005 review with no additional activity during the past year. The lack of activity and the failure to meet the milestones listed in the 2005 report strongly indicate that the projects are not valid obligations; therefore, within 90 days, MDOT should:

1. Withdraw the projects and release the apportionment and the obligation limitation to be used elsewhere,
2. Generate bills to claim valid expenditure that are accrued unbilled, or
3. Adjust the obligation level to match a current cost estimate that will be expended in a reasonable time.

Please advise me of your plans to review and build the processes to meet the full requirements of this regulation, and feel free to contact me with any questions concerning these new regulatory requirements.

Sincerely,

Original signed by:

Donald B. Bullock, Jr.
Executive Coordination Unit Manager

For: James J. Steele
Division Administrator

Attachment